



NOTICE OF ADMINISTRATIVE DECISION
SPR 543-24
Climate GM, LLC

DECISION DATE: April 24, 2024

APPLICANT: Climate GM, LLC

PROPERTY OWNER: Climate GM, LLC

REQUEST: Approval to construct a 150' x 120' x 55' tall metal building with two 36' x 47 x 20' tall rooftop enclosures to house industrial direct air capture equipment. Ancillary structures will include a motor control center building (25' x 60' x 14' tall) and three aboveground water pipelines to the northern site boundary.

LOCATION: The subject property is located at **4375 River Trail Way** and further described as 2N 13E 21 C tax lot 2400

COMPREHENSIVE PLAN AND ZONING DESIGNATIONS: I – Industrial District

AUTHORITY: City of The Dalles Municipal Code, Title 10 Land Use and Development

DECISION: Based on the findings of fact and conclusions in the staff report of **SPR 543-24**, the request by **Climate GM, LLC** is hereby **approved** with the following conditions:

1. Conditions Requiring Resolution Prior to Final Plan Approval:

- a. Final plan submission must meet all requirements of The Dalles Municipal Code, Title 10 Land Use and Development, and all other applicable provisions of The Dalles Municipal Code.
- b. A detailed site plan, construction/design and landscape plan consistent with conditions of approval included within this staff report must be approved by the Director and the City Engineer before a building permit is issued.

- c. If applicable, all construction/design plans for public infrastructure, improvements, or ROW shall be approved by the City Engineer.
 - d. All drive approaches shall meet the design requirements specified by the Americans with Disabilities Act and be approved by the City Engineer.
 - e. All primary building entrances in the subject development shall be connected to the public ROW and on-site parking by a network of paved walkways or sidewalks in compliance with TDMC 10.3.030.040, D. These walkways shall be constructed and maintained for pedestrian safety, and shall meet the requirements of the Oregon Americans with Disabilities Act, the State of Oregon Structural Specialties Code, and the Oregon Revised Statutes.
 - f. Detailed landscaping plans consistent with TDMC 10.3.030.030 and TDMC 10.7.030.040 shall be submitted.
 - g. The Applicant shall illustrate the refuse area compliant with TDMC 10.7.030.110 on the site plan.
 - h. The site plan shall illustrate the bicycle rack design and be consistent with TDMC 10.7.040.040.
 - i. Bicycle directional signage and lighting shall be illustrated on the site plan and installed consistent with TDMC 10.7.040.030.
- 2. Conditions Requiring Resolution Prior to Building Permit Approval:**
- a. All construction/design plans for public infrastructure, improvements, or rights-of-way required with this development must be approved by the City Engineer.
 - b. All System Development Charges shall be paid.
 - c. Plans submitted with the building permit shall be consistent with the approved Site Plan Review Application (SPR 528-23).
 - d. Revised building elevations detailing the building articulations on the River Trail Way building face shall be required to provide the appearance of smaller buildings in accordance with TDMC 10.3.030.040 (D) (1).
 - e. Revised building elevations shall be submitted which ensure that features such as front porches windows, doorways, walkways, and traditional storefront elements are included in the overall building design per TDMC 10.3.030.040 (D)(6).
- 3. Conditions Required Prior to Construction:**
- a. Prior to the installation of public facilities, a pre-construction meeting is required between the City and the Applicant.
 - b. Detailed driveway construction plans shall be approved by the City Engineer prior to construction.
 - c. The driveway and entrance grades at the sidewalk level shall not exceed 2% and the approach grade shall not exceed 5% for the first 20 feet.

- d. The drive approaches installed in the public ROW shall be constructed of concrete, in accordance with City Public Works standards.
- e. Staff will add as a condition of approval that the subject development be reviewed for fire-life safety requirements to ensure safe and convenient vehicular access for emergency vehicles and any requirements of the Fire Department shall be illustrated on the final site plan.
- f. The bicycle parking area shall have a minimum lighting level of 3-foot candles. In addition, a pedestrian accessible walk shall be provided between bicycle parking and the building entrance.
- g. All parking for this facility shall be addressed. This will include both the Phase 1 and the current Phase 2.

4. Conditions Required During Construction

- a. All bicycle racks must be designed and constructed per the requirements of TDMC 10.7.040.
- b. Each use, activity, or operation within this district shall comply with all applicable local, state, and federal standards and shall not create a nuisance beyond the zone district boundary because of odor, vibration, noise, dust, vector control, smoke or gas. Uses shall also prevent materials and debris that could collect and cause a nuisance to be windblown or migrate off-site.
- c. The subject development shall be reviewed for fire-life safety requirements to ensure safe and convenient vehicular access for emergency vehicles; any requirements of the fire department shall be illustrated on the final site plan.
- d. During construction, erosion control measures such as straw bales, sediment fences, etc., shall be incorporated into plans to control erosion from the site as needed.
- e. All parking spaces shall comply with the dimensional and striping requirements outlined in TDMC 7.030.
- f. The refuse area shall be screened, and containers placed on concrete pads with a positive surface drainage.

5. Conditions Required Prior to Occupancy

- a. All bicycle racks must be installed.
- b. The driveway must be constructed and approved per City Standards prior to the Certificate of Occupancy.
- c. All internal and external improvements must be installed.

6. Ongoing Conditions

- a. All development must adhere to the approved site plan for this development.
- b. All landscaping shall be maintained to ensure plant survival.
- c. All proposed lighting shall not directly illuminate adjoining properties. Lighting sources in the parking area shall be shielded and arranged to prevent glare in any

public ROW, with a maximum illumination at the property line not to exceed an average horizontal foot-candle of 0.3 for non-cut-off lights, and 1.0 for cut-off lights.

Signed this 24th day of April, 2024 by



Joshua Chandler
Director
Community Development Department

TIME LIMITS: The period of approval is valid for the time period specified for the particular application type in City of The Dalles Municipal Code, Title 10 Land Use and Development. All conditions of approval shall be fulfilled within the time limit set forth in the approval thereof, or, if no specific time has been set forth, within a reasonable time. Failure to fulfill any of the conditions of approval within the time limits imposed can be considered grounds for revocation of approval by the Director.

Please Note! No guarantee of extension or subsequent approval either expressed or implied can be made by the City of The Dalles Community Development Department. Please take care in implementing your approved proposal in a timely manner.

APPEAL PROCESS: The Director's approval, approval with conditions, or denial is the City's final decision, and may be appealed to the Planning Commission if a completed Notice of Appeal is received by the Director no later than 5:00 p.m. on **May 6, 2024**. The following may file an appeal of administrative decisions:

1. Any party of record to the particular administrative action.
2. A person entitled to notice and to whom no notice was mailed. (A person to whom notice is mailed is deemed notified even if notice is not received.)
3. The Historic Landmarks Commission, the Planning Commission, or the City Council by majority vote.

A complete record of application for administrative action is available for review upon request during regular business hours, or copies can be ordered at a reasonable price, at the City of The Dalles Community Development Department. Notice of Appeal forms are also available at The Dalles Community Development Office. The fee to file a Notice of Appeal is \$500.00. **The appeal process is regulated by Section 10.3.020.080: Appeal Procedures of The Dalles Municipal Code, Title 10 Land Use and Development.**